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PTO/SB/21 (08-00)

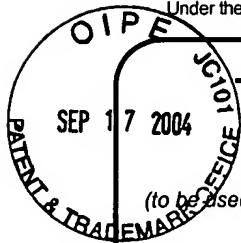
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Approved for use through 10/31/2002. OMB 0651-0031

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**TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/008,339        |
| Filing Date            | November 13, 2001 |
| First Named Inventor   | Herron et al.     |
| Group Art Unit         | 1641              |
| Examiner Name          | C. Chin           |
| Attorney Docket Number | 0274.02-2424.4US  |

**ENCLOSURES (check all that apply)**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Postcard receipt acknowledgment (attached to the front of this transmittal)<br><input checked="" type="checkbox"/> Duplicate copy of this transmittal sheet in the event that additional filing fees are required under 37 C.F.R. § 1.16<br><input type="checkbox"/> Preliminary Amendment<br><input type="checkbox"/> Response to Restriction Requirement/Election of Species Requirement dated<br><input type="checkbox"/> Amendment in response to office action dated<br><input checked="" type="checkbox"/> Amendment under 37 C.F.R. § 1.116 in response to final office action dated July 14, 2004<br><input type="checkbox"/> Additional claims fee - Check No. in the amount of \$<br><input type="checkbox"/> Letter to Chief Draftsman and copy of FIGS. with changes made in red<br><input type="checkbox"/> Transmittal of Formal Drawings<br><input type="checkbox"/> Formal Drawings ( sheets) | <input type="checkbox"/> Information Disclosure Statement, PTO/SB/08A; <input type="checkbox"/> copy of cited references<br><input type="checkbox"/> Supplemental Information Disclosure Statement; PTO/SB/08A; copy of cited references and Check No. in the amount of \$180.00<br><input type="checkbox"/> Associate Power of Attorney<br><input type="checkbox"/> Petition for Extension of Time and Check No. in the amount of \$<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
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Remarks

The Commissioner is authorized to charge any additional fees required but not submitted with any document or request requiring fee payment under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account 20-1469 during pendency of this application.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

|                         |                    |                         |
|-------------------------|--------------------|-------------------------|
| Firm or Individual name | Brick G. Power     | Registration No. 38,581 |
| Signature               |                    |                         |
| Date                    | September 14, 2004 |                         |

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| Typed or printed name | Rachael M. Harris |      |                    |
| Signature             |                   | Date | September 14, 2004 |

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**Expedited Procedure  
Under 37 C.F.R. § 1.116  
Technology Center 1600**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Herron et al.

**Serial No.:** 10/008,339

**Filed:** November 13, 2001

**For:** APPARATUS AND METHOD FOR MULTI-ANALYTE  
HOMOGENEOUS FLUORO-IMMUNOASSAYS

**Confirmation No.:** 3715

**Examiner:** C. Chin

**Group Art Unit:** 1641

**Attorney Docket No.:** 0274.02-2424.4US

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September 14, 2004  
Date

*Rachael M. Harris*  
Signature

Rachael M. Harris  
Name (Type/Print)

**AMENDMENT UNDER 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is being filed in response to the Final Office Action of July 14, 2004, the three-month shortened statutory period for response to which is set to expire on October 14, 2004. This Amendment is being submitted within two months of the mailing date of the Final Office Action.

**Amendments to the claims** are set forth in the listing of the claims, which starts at page 2 of this paper; and

**Remarks** begin on page 7 of this paper.